

OneNet
Internet Access

Nextel West Corp.
Cellular

PageNet, Inc.
Paging Services

AT&T Corp.
Long Distance

Service
Descriptions

Southwestern Bell
Wireless, Inc.

Cox Oklahoma
Telcom, Inc.
WAN

Southwestern Bell
Telephone Co
Local Phone & Data Lines

Description of Service Attachment

Attachment
Number

2

Entity Number	Applicant's Form Identifier	Contact Person	Phone Number
0000139831	OCPS-PY4-471-01	Steve Washam	(405) 297-6798

Service Provider Name/SPIN

Cox Oklahoma Telcom, Inc.
143005575

Contract Number

N/A

Funding Request

\$71,128.71

Description of Service

Leased high-speed data network

Oklahoma Tower
210 Park Avenue, Suite 2640
Oklahoma City, OK 73102
(405) 600-6333
(405) 600-6565 fax
www.cox.com



Oklahoma City Public School District Wide Area Network Locations

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
Adams Elementary	10 Mbps	\$ 900
Arcadia Elementary	10 Mbps	\$ 900
Arthur Elementary	10 Mbps	\$ 900
Belle Isle High School	10 Mbps	\$ 900
Bodine Elementary	10 Mbps	\$ 900
Britton Elementary	10 Mbps	\$ 900
Buchanan Elementary	10 Mbps	\$ 900
Capital Hill Elementary	10 Mbps	\$ 900
Capital Hill High School	10 Mbps	\$ 900
Classen High School	10 Mbps	\$ 900
Cleveland Elementary	10 Mbps	\$ 900
Independence Enterprise	10 Mbps	\$ 900
Columbus Elementary	10 Mbps	\$ 900
Coolidge Elementary	10 Mbps	\$ 900
Creston Hills Elementary	10 Mbps	\$ 900
Dewey Elementary	10 Mbps	\$ 900
Douglas High School	10 Mbps	\$ 900
Dunbar Elementary	10 Mbps	\$ 900

Attachment E

Page 3 of 7

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
Edgemere Elementary	10 Mbps	\$ 900
Edwards Elementary	10 Mbps	\$ 900
Eisenhower Elementary	10 Mbps	\$ 900
Emerson Alternative High School	10 Mbps	\$ 900
Eugene Field Elementary	10 Mbps	\$ 900
Filmore Elementary	10 Mbps	\$ 900
Van Buren Elementary	10 Mbps	\$ 900
Garden Oaks Elementary	10 Mbps	\$ 900
Gateway Academy MS	10 Mbps	\$ 900
Gatewood Elementary	10 Mbps	\$ 900
Green Pastures Elementary	10 Mbps	\$ 900
Harding MS	10 Mbps	\$ 900
Hawthorne Elementary	10 Mbps	\$ 900
Hayes Elementary	10 Mbps	\$ 900
Heronville Elementary	10 Mbps	\$ 900
Hillcrest Elementary	10 Mbps	\$ 900
Hoover MS	10 Mbps	\$ 900
Horace Mann Elementary	10 Mbps	\$ 900
Independence School	10 Mbps	\$ 900
Jackson MS	10 Mbps	\$ 900
Jefferson MS	10 Mbps	\$ 900
John Marshall High School	10 Mbps	\$ 900

Attachment E
Page 4 of 7

Entity #0000139831

Oklahoma City Public Schools

Contact: Steve Washam (405) 297-6798

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
Johnson Elementary	10 Mbps	\$ 900
Kaiser Elementary	10 Mbps	\$ 900
Lafayette Elementary	10 Mbps	\$ 900
Lee Elementary	10 Mbps	\$ 900
Linwood Elementary	10 Mbps	\$ 900
Longfellow Elementary	10 Mbps	\$ 900
Madison Elementary	10 Mbps	\$ 900
Mark Twain Elementary	10 Mbps	\$ 900
Martin Luther King Jr. Elem.	10 Mbps	\$ 900
Monroe Elementary	10 Mbps	\$ 900
Moon MS	10 Mbps	\$ 900
Nichols Hills Elementary	10 Mbps	\$ 900
North Highland Elementary	10 Mbps	\$ 900
Northeast High School	10 Mbps	\$ 900
Northwest Classen HS	10 Mbps	\$ 900
Oakridge Elementary	10 Mbps	\$ 900
Parker Elementary	10 Mbps	\$ 900
Parmelee Elementary	10 Mbps	\$ 900
Pierce Elementary	10 Mbps	\$ 900
Polk Elementary	10 Mbps	\$ 900
Prairie Queen Elementary	10 Mbps	\$ 900
Putnam Heights Elementary	10 Mbps	\$ 900

Attachment E

Page 5 of 7

Entity #0000139831

Oklahoma City Public Schools

Contact: Steve Washam (405) 297-6798

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
Quail Creek Elementary	10 Mbps	\$ 900
Rancho Village Elementary	10 Mbps	\$ 900
Ridgeview Elementary	10 Mbps	\$ 900
Rockwood Elementary	10 Mbps	\$ 900
Rodgers MS	10 Mbps	\$ 900
Roosevelt MS	10 Mbps	\$ 900
Sequoyah Elementary	10 Mbps	\$ 900
Service Center Admin Bldg	10 Mbps	\$ 900
Shields Heights Elementary	10 Mbps	\$ 900
Shilder Elementary	10 Mbps	\$ 900
Southeast High School	10 Mbps	\$ 900
Southern Hills Elementary	10 Mbps	\$ 900
Spencer Elementary	10 Mbps	\$ 900
Stand Watie Elementary	10 Mbps	\$ 900
Star Elementary	10 Mbps	\$ 900
Stonegate Elementary	10 Mbps	\$ 900
Taft MS	10 Mbps	\$ 900
Telstar Elementary	10 Mbps	\$ 900
The Research Center	10 Mbps	\$ 900
Thelma Parks Elementary	10 Mbps	\$ 900
US Grant High School	10 Mbps	\$ 900
Webster MS	10 Mbps	\$ 900

Attachment E
Page 6 of 7

Entity #0000139831

Oklahoma City Public Schools

Contact: Steve Washam (405) 297-6798

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
West Nichols Hills	10 Mbps	\$ 900
Western Village Elementary	10 Mbps	\$ 900
Westwood Elementary	10 Mbps	\$ 900
Wheeler Elementary	10 Mbps	\$ 900
Willard Special Center	10 Mbps	\$ 900
Willow Brook Elementary	10 Mbps	\$ 900
Wilson Elementary	10 Mbps	\$ 900
* Academy Programs	1.544 Mbps	\$ 2777
TOTAL MONTHLY RECURRING:		<u>\$84,677</u>

* proposed locations to receive DS-1 level of service.

Attachment E
Page 7 of 7

Entity Number 0000139831
Contact Person Steve Washam

Applicant's Form Identifier OCPS-PY4-471-01
Phone Number (405) 297-6798

Block 5: Discount Funding Request(s)

Block 5, page 2 of 7

Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts.
Make as many copies of this page as necessary, and number the completed pages to assure that they are all processed correctly.

FRN# (to be assigned by administrator)

11 Category of Service (only ONE category should be checked) <input checked="" type="radio"/> Telecommunications Service <input type="radio"/> Internet Access <input type="radio"/> Internal Connections					15 Contract Number (if available; use "T" if tariffed services, "MTM" if month-to-month services as described in Instructions) N/A					
					16 Billing Account Number (e.g., billed telephone number) OKC9900SY					
12 Form 470 Application Number (15 digits) 553080000038015					17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/20/1998					
13 SPIN - Service Provider Identification Number (9 digits) 143005575					18 Contract Award Date (mm/dd/yyyy) 04/09/1998					
					19a Service Start Date (mm/dd/yyyy) 07/01/2001					
					19b Service End Date (mm/dd/yyyy) (use only for "T" or "MTM" services)					
14 Service Provider Name Cox Oklahoma Telcom, Inc.					20 Contract Expiration Date (mm/dd/yyyy) 06/30/2002					
21 Description of This Service:		You MUST attach a description of the service, including a breakdown of components and costs, plus any relevant brand names. Label this description with an Attachment #, and note number in space provided below. Attachment # <u>2</u>								
22 Entity/Entities Receiving This Service:		a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service : _____ b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., A-1) <u>A-1</u>								
23 Calculations										
Recurring Charges					Non-Recurring Charges			Total Charges		
A	B	C	D	E	F	G	H	I	J	K
Monthly \$ charges (total amount per month for service)	How much of the \$ amount in (A) is ineligible?	Eligible monthly pre-discount amount (A minus B)	# of months service provided in program year	Annual pre-discount \$ amount for eligible recurring charges (C x D)	Annual non-recurring (one-time) \$ charges	How much of the \$ amount in (F) is ineligible?	Annual eligible pre-discount \$ amount for one-time charges (F minus G)	Total program year pre-discount \$ amount (E + H)	% discount (from Block 4 Worksheet)	Funding Commitment \$ Request (I x J)
\$7,056.42	\$0.00	\$7,056.42	12	\$84,677.04	\$0.00	\$0.00	\$0.00	\$84,677.04	84%	\$71,128.71

G



March 7, 2001

Schools and Libraries Division/USAC
Problem Resolution
Att: Jon Cruver
3833 Greenway Drive
Lawrence, KS 66046

Re: *Program Year 4 Data Entry Correction*
Oklahoma City Public Schools
Billed Entity No. 139831
Applicant Form Identifier: OCPS-PY4-471-01

Dear Jon:

We just discovered an inadvertent clerical error in the monthly/annual dollar amounts entered in one of the Block 5 funding requests in an Oklahoma City Public Schools' Year Four Form 471 (OCPS-PY4-471-01). Fortunately, the correct amount is indicated clearly on separate documentation that the school district included as part of the same Form 471. Therefore, consistent with FCC precedent regarding permissible Form 471 data entry amendments and to help facilitate the process for all concerned, we request that SLD Problem Resolution management authorize its data entry staff to make the following correction *before* issuing a Receipt Acknowledgement Letter:

As submitted, the amount set forth in Block 5 (page 2 of 7), line 23, column E ("Annual pre-discount \$ amount for eligible recurring charges") is \$84,677.04. (See attachment). That amount is the total monthly, not annual, amount for the telecommunications service, and thus should have been entered in line 23, column A.

Please review the attached Form 471/Attachment Number 2. This is the related Description of Service, together with supporting documentation. (In the original application, the attachment is clearly marked and located easily under the tab labeled "Cox Oklahoma Telecom, Inc."). As you can see, the detailed, five-page document lists every eligible school that will receive high speed data service along with the "monthly recurring" charge for that service at each location. The "total monthly recurring" charge, which appears clearly on the last page of the service provider's quotation, is \$84,677.

Of course, on the Form 471, the \$84,677 monthly amount should have been entered in the monthly recurring charges column, column A. Then, the \$84,677 monthly amount should have been multiplied by 12 (total months of service) to arrive at the correct, annual pre-

Funds For Learning, LLC • www.fundsforlearning.com
2111 Wilson Boulevard, Suite 700 • Arlington, VA 22201 • Ph: 703.351.5070 • Fax: 703.351.6218
229 North Broadway • Edmond, OK 73034 • Ph: 405.341.4140 • Fax: 405.341.7008

discount amount of \$1,016,124. And finally, that amount, \$1,016,124, should have been entered in the annual total recurring charges column, column E. Instead, unfortunately, \$84,677 was divided, rather than multiplied, by 12, and, as you can see, the result of that calculation (\$7,056.42) was entered by mistake in column A.

As the correct monthly amount for the service in issue was plainly evident from the documentation submitted with the Attachment 2/Description of Service, the SLD clearly has authority to make this data entry change. *Request For Review by Methacton School District Norristown, Pennsylvania*, App. No. 120123, Order, (Common Carrier Bur. rel. May 17, 2000)(applicant may correct a determinative Form 471 data entry error "if the applicant has correctly listed the proper item on another part of the Form 471"). (Copy attached)

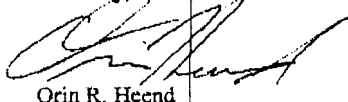
Moreover, where, as here, an impoverished (84%) school district's need for one year's (not one month's) worth of E-rate funding to enable it to provide high speed Internet access to its students is so high and the administrative cost of making a data entry correction to enable this to happen so low (especially under these circumstances and at this very early stage in the process), the balance weighs heavily in favor of making the change. See *Request For Review by Naperville Community Unit School District 203 Naperville, Illinois*, File No. SLD-203343, Order, (FCC rel. February 27, 2001)(SLD should balance program objectives against administrative cost when making decisions affecting funding and affirming the propriety of looking elsewhere in an application to fill in omitted information).

Accordingly, on behalf of Oklahoma City Public Schools, we request the SLD to change the following in Form 471 OCPS-PY4-471-01 (a revised Block 5 to reflect these changes is attached):

Column A (monthly charges):	\$84,677
Column B:	no change
Column C (eligible monthly charges):	\$84,677
Column D:	no change
Column E (annual eligible charges):	\$1,016,124
Columns F - H:	no change
Column I (total amount)	\$1,016,124
Column J (discount)	no change
Column K (funding request)	\$853,544

If you have any questions or require any additional information, please contact me at 703-351-5070 or by e-mail at ohceend@fundsforlearning.com.

Sincerely,



Orin R. Heend

93/02/2001 10:35 4853417088

FUNDSFORLEARNING

PAGE 01

01/08/01 MON 11:56 FAX 405 600 6565

COX FIBERNET

002

Oklahoma Tower
210 Park Avenue, Suite 2840
Oklahoma City, OK 73102
(405) 800-6323
(405) 800-8566 fax
www.cox.com

COX Business
Services.

Oklahoma City Public School District Wide Area Network Locations

<u>School Name</u>	<u>Service Level</u>	<u>Monthly Recurring</u>
Adams Elementary	10 Mbps	\$ 900
Arcadia Elementary	10 Mbps	\$ 900
Arthur Elementary	10 Mbps	\$ 900
Belle Isle High School	10 Mbps	\$ 900
Bodine Elementary	10 Mbps	\$ 900
Britton Elementary	10 Mbps	\$ 900
Buchanan Elementary	10 Mbps	\$ 900
Capital Hill Elementary	10 Mbps	\$ 900
Capital Hill High School	10 Mbps	\$ 900
Classen High School	10 Mbps	\$ 900
Cleveland Elementary	10 Mbps	\$ 900
Independence Enterprise	10 Mbps	\$ 900
Columbus Elementary	10 Mbps	\$ 900
Coolidge Elementary	10 Mbps	\$ 900
Creston Hills Elementary	10 Mbps	\$ 900
Dewey Elementary	10 Mbps	\$ 900
Douglas High School	10 Mbps	\$ 900
Dunbar Elementary	10 Mbps	\$ 900

Entry #0000150431

Oklahoma City Public Schools

Contact: Steve Wadman (405) 297-6708

03/02/2001 10:35 4058417888

FUNDSFORLEARNING

PAGE 02

01/06/01 MON 11:59 FAX 406 800 8586

COX FIBERNET

0003

School Name	Service Level	Monthly Recurring
Edgemere Elementary	10 Mbps	\$ 900
Edwards Elementary	10 Mbps	\$ 900
Eisenhower Elementary	10 Mbps	\$ 900
Emerson Alternative High School	10 Mbps	\$ 900
Eugene Field Elementary	10 Mbps	\$ 900
Fillmore Elementary	10 Mbps	\$ 900
Van Buren Elementary	10 Mbps	\$ 900
Garden Oaks Elementary	10 Mbps	\$ 900
Gateway Academy MS	10 Mbps	\$ 900
Gatewood Elementary	10 Mbps	\$ 900
Green Pastures Elementary	10 Mbps	\$ 900
Harding MS	10 Mbps	\$ 900
Hawthorne Elementary	10 Mbps	\$ 900
Hayes Elementary	10 Mbps	\$ 900
Heronville Elementary	10 Mbps	\$ 900
Hillcrest Elementary	10 Mbps	\$ 900
Hoover MS	10 Mbps	\$ 900
Horace Mann Elementary	10 Mbps	\$ 900
Independence School	10 Mbps	\$ 900
Jackson MS	10 Mbps	\$ 900
Jefferson MS	10 Mbps	\$ 900
John Marshall High School	10 Mbps	\$ 900

Entity #0600180831

Oklahoma City Public Schools

Contact: Steve Washan (405) 297-6798

03/02/2001 10:35 4053417008

FUNDSFORLEARNING

PAGE 03

01/08/01 MON 11:58 FAX 405 400 6565

COX FIBERNET

004

School Name	Service Level	Monthly Recurring
Johason Elementary	10 Mbps	\$ 900
Kaiser Elementary	10 Mbps	\$ 900
Lafayette Elementary	10 Mbps	\$ 900
Lee Elementary	10 Mbps	\$ 900
Linwood Elementary	10 Mbps	\$ 900
Longfellow Elementary	10 Mbps	\$ 900
Madison Elementary	10 Mbps	\$ 900
Mark Twain Elementary	10 Mbps	\$ 900
Martin Luther King Jr. Elem.	10 Mbps	\$ 900
Mourue Elementary	10 Mbps	\$ 900
Moon MS	10 Mbps	\$ 900
Nichols Hills Elementary	10 Mbps	\$ 900
North Highland Elementary	10 Mbps	\$ 900
Northeast High School	10 Mbps	\$ 900
Northwest Classical HS	10 Mbps	\$ 900
Oakridge Elementary	10 Mbps	\$ 900
Parker Elementary	10 Mbps	\$ 900
Parmer Elementary	10 Mbps	\$ 900
Pierce Elementary	10 Mbps	\$ 900
Polk Elementary	10 Mbps	\$ 900
Prairie Queen Elementary	10 Mbps	\$ 900
Putnam Heights Elementary	10 Mbps	\$ 900

Early Childhood Services

Oklahoma City Public Schools

Contact: Steve Washburn (405) 297-6793

03/02/2001 10:35 4053417008

FUNDSFORLEARNING

PAGE 04

000

1/08/01 MON 11:50 FAX 405 800 8565

COX FIBERNET

School Name	Service Level	Monthly Recurring
Quail Creek Elementary	10 Mbps	\$ 900
Rancho Village Elementary	10 Mbps	\$ 900
Ridgeview Elementary	10 Mbps	\$ 900
Rockwood Elementary	10 Mbps	\$ 900
Rodgers MS	10 Mbps	\$ 900
Roosevelt MS	10 Mbps	\$ 900
Sequoyah Elementary	10 Mbps	\$ 900
Service Center Admin Bldg	10 Mbps	\$ 900
Shields Heights Elementary	10 Mbps	\$ 900
Shilder Elementary	10 Mbps	\$ 900
Southeast High School	10 Mbps	\$ 900
Southern Hills Elementary	10 Mbps	\$ 900
Spencer Elementary	10 Mbps	\$ 900
Stand Watie Elementary	10 Mbps	\$ 900
Star Elementary	10 Mbps	\$ 900
Stonegate Elementary	10 Mbps	\$ 900
Taft MS	10 Mbps	\$ 900
Telstar Elementary	10 Mbps	\$ 900
The Research Center	10 Mbps	\$ 900
Thelma Parks Elementary	10 Mbps	\$ 900
US Grant High School	10 Mbps	\$ 900
Webster MS	10 Mbps	\$ 900

Entry 7030213001

Oklahoma City Public Schools

Contact: Steve Washam (405) 297-0768

SENT BY: FUNDS FOR LEARNING;

7033518218;

MAR-7-01 6:49PM;

PAGE 8

RECEIVED: 3/ 2/01 10:54AM; --FUNDS FOR LEARNING; #317; PAGE 8

03/02/2001 10:35 4053417008

FUNDSFORLEARNING

PAGE 85

01/05/01 MON 11:59 FAX 405 800 6565

COI FIBERNET

2006

School Name	Service Level	Monthly Recurring
West Nichols Hills	10 Mbps	\$ 900
Western Village Elementary	10 Mbps	\$ 900
Westwood Elementary	10 Mbps	\$ 900
Wheeler Elementary	10 Mbps	\$ 900
Willard Special Center	10 Mbps	\$ 900
Willow Brook Elementary	10 Mbps	\$ 900
Wilson Elementary	10 Mbps	\$ 900
* Academy Programs	1.544 Mbps	\$ 2777
TOTAL MONTHLY RECURRING:		<u>\$84,677</u>

* proposed locations to receive DS-1 level of service.

Emily #0060138031

Oklahoma City Public Schools

Contact: Steve Washam (405) 297-8733

Entity Number 0000139831				Applicant's Form Identifier OCP8-PY4-471-01			
Contact Person Steve Washam				Phone Number (408) 287-6788			

Block 5, page 2 of 7

Block 5: Discount Funding Request(s)

Instructions: Use one Block 5 page for EACH service (Funding Request Number) for which you are requesting discounts. Make as many copies of this page as necessary, and number the completed pages to assure that they are all processed correctly.

41 Category of Service (only ONE category should be checked) <input checked="" type="radio"/> Telecommunications Service <input type="radio"/> Internet Access <input type="radio"/> Internal Connections				15 Contract Number (if available, use "T" for T-1 leased services, "MTM" for month-to-month services as described in subsections) N/A			
12 Form 470 Application Number (15 digits) 553080000038015				16 Billing Account Number (e.g., listed telephone number) OKC9900SY			
13 SPN - Service Provider Identification Number (8 digits) 143005575				17 Allowable Vendor Selection/Contract Date (mm/dd/yyyy) (based on Form 470 filing) 03/20/1998			
14 Service Provider Name Cox Oklahoma Telcom, Inc.				18 Contract Award Date (mm/dd/yyyy) 04/09/1998			
				19a Service Start Date (mm/dd/yyyy) 07/01/2001			
				19b Service End Date (mm/dd/yyyy) (use only for "T" or "MTM" services)			
20 Contract Expiration Date (mm/dd/yyyy) 06/30/2002							

21 Description of This Service: You MUST attach a description of the service, including a breakdown of components and costs, plus any relevant brand names. Label this description with an Attachment #, and note number in space provided below.
Attachment # 2

22 Entity/Entities Receiving This Service:
 a. If the service is site-specific (provided to one site and not shared by others), list the Entity Number of the entity from Block 4 receiving this service : _____
 b. If the service is shared by all entities on a Block 4 worksheet, list the worksheet number (e.g., A-1) A-1

Recurring Charges					Non-Recurring Charges			Total Charges		
A	B	C	D	E	F	G	H	I	J	K
Monthly \$ charges (total amount per month for service)	How much of the \$ amount in (A) is ineligible?	Eligible monthly pre-discount amount (A minus B)	# of months service provided in program year	Annual pre-discount \$ amount for eligible recurring charges (C x D)	Annual non-recurring (one-time) \$ charges	How much of the \$ amount in (F) is ineligible?	Annual eligible pre-discount \$ amount for one-time charges (F minus G)	Total program year pre-discount \$ amount (E + H)	% discount (from Block 4 Worksheet)	Funding Commitment \$ Request (I x J)
\$7,056.42	\$0.00	\$7,056.42	12	\$84,677.04	\$0.00	\$0.00	\$0.00	\$84,677.04	84%	\$71,128.71

Federal Communications Commission

DA 00-1046

Before the
Federal Communications Commission
Washington, D.C. 20554

In the Matter of)	
Methacton School District)	
Norristown, Pennsylvania)	Application No. 120123
)	
Federal-State Joint Board on Universal Service)	CC Docket No. 96-45
)	
Changes to the Board of Directors)	
Of the National Exchange Carrier)	CC Docket No. 97-21
Association, Inc.)	

ORDER

Adopted: May 16, 2000

Released: May 17, 2000

By the Common Carrier Bureau:

1. The Common Carrier Bureau has under consideration a Letter of Appeal filed on October 22, 1999 by Methacton School District, Norristown, Pennsylvania (Methacton), seeking review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator).¹ Methacton seeks review of SLD's denial of its application for discounts for telecommunications services under the schools and libraries universal service support mechanism.² For the reasons set forth below, we remand Methacton's appeal to SLD for further review.

2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³ The Commission's rules provide that, with one limited exception, an eligible school, library, or consortium must seek competitive bids for all services eligible for support.⁴ The Commission reasoned that competitive bidding would ensure fiscal responsibility and would be the best means for ensuring that eligible schools and libraries are able to receive services at the most competitive

¹ Letter from Robert F. Holly, Methacton School District, to Secretary, FCC, dated October 22, 1999 (Letter of Appeal).

² Section 54.719(c) of the Commission's rules provides that any person aggrieved by an action taken by a division of the Administrator may seek review from the Commission. 47 C.F.R. § 54.719(c).

³ 47 C.F.R. §§ 54.502, 54.503.

⁴ 47 C.F.R. § 54.504(a).

Federal Communications Commission

DA 00-1046

rates.⁵

3. The Commission's competitive bidding rules require that an applicant submit to the Administrator a completed FCC Form 470, in which the applicant lists the services for which it seeks discounts.⁶ The Administrator must post the FCC Form 470 on its website and the applicant is required to wait 28 days before making a commitment to a selected service provider. The Commission's rules provide a limited exemption from the 28-day competitive bidding requirement for applicants that have pre-existing contracts as defined by the Commission's rules.⁷ After the FCC Form 470 has been posted for 28 days, and the applicant has selected a service provider, the applicant must submit to the Administrator an FCC Form 471, which lists the services that have been ordered.⁸

4. Item 10 in Block 3 of the FCC Form 470 directs the applicant to check the box if it has a pre-existing contract. If an applicant checks Item 10, SLD will not post its FCC Form 470. If an applicant does not check the box, SLD will post the applicant's Form 470. Here, Methacton filed two separate Forms 470.⁹ In its first Form 470, Methacton checked Item 10 in Block 3, indicating that it had a pre-existing, binding contract for telecommunications services, and therefore SLD did not post Methacton's first Form 470. In its second Form 470, in which Methacton sought support for telecommunications services, Internet access, and internal connections, Methacton did not check Item 10 in Block 3, thereby indicating to SLD that it did not have an existing, binding contract. Accordingly, SLD posted Methacton's second Form 470.

5. Methacton subsequently filed a single Form 471 in which it referenced only the first, non-posted Form 470, and indicated, by listing a "C" in the appropriate box, that all of the services listed in the Form 471 would be received pursuant to a new contract.¹⁰ As noted above, under the Commission's rules, an applicant must have had a Form 470 posted for 28 days prior to

⁵ See *Federal-State Joint Board on Universal Service*, CC Docket No. 96-45, Report and Order, 12 FCC Rcd 8776, 9029, para. 480 (1997) (*Universal Service Order*), as corrected by *Federal State Joint Board on Universal Service*, CC Docket 96-45, Errata, FCC 97-157 (rel. June 4, 1997), *affirmed in part, reversed in part and remanded in part*, *Texas Office of Public Utility Council v. FCC*, 183 F.3d 393 (5th Cir. 1999) *affirming Universal Service Order in part and reversing and remanding on unrelated grounds*, petitions for cert. pending.

⁶ 47 C.F.R. §§ 54.504(b)(1), (b)(3).

⁷ 47 C.F.R. § 54.511(c). Under SLD's procedures, even applicants that have pre-existing contracts are required to wait 28 days before filing their Form 471.

⁸ 47 C.F.R. § 54.504(c).

⁹ Respectively, USCN 742430000155751 and USCN 586470000159312.

¹⁰ The SLD subsequently discovered that Methacton would be receiving its telecommunications services pursuant to a tariff, not a contract, and therefore Methacton should have indicated a "T" instead of a "C" in its Form 471. The 28-day posting requirement applies to requests for service pursuant to a contract or a tariff, and therefore SLD would have denied Methacton's application even if Methacton had correctly indicated that it was ordering telecommunications services pursuant to a tariff. See 47 C.F.R. § 54.504(b)(3).

Federal Communications Commission

DA 00-1046

entering into a new contract with a service provider. Because Methacton referenced only the first, non-posted Form 470, SLD denied Methacton's application for failure to comply with the Commission's 28-day posting requirement.

6. At the Bureau's request, SLD has reviewed this case further, and has discovered that SLD may be able to grant Methacton relief.¹¹ Along with its Form 471 application, Methacton submitted Optional Pre-Discount Cost Calculation grids for each of the services that it requested in support of its discount cost calculations.¹² The telecommunications services grids correctly reference the second, posted Form 470, indicating that Methacton intended to reference the second Form 470, not the first Form 470, in its Form 471.¹³

7. Under SLD's procedures SLD may grant appeals when the applicant has correctly listed the proper item on another part of the Form 471.¹⁴ SLD states that, if this case were remanded, it "would treat this as a data entry error made by the applicant and, since there is evidence in the original file to support the correct item, [it] would grant the appeal."¹⁵ Accordingly, based on SLD's discovery of the reference to the second, posted Form 470 in Methacton's Form 471, we conclude that it is appropriate to remand this matter to SLD for further review.¹⁶

8. ACCORDINGLY, IT IS ORDERED, pursuant to authority delegated under sections 0.91, 0.291, and 54.722(a) of the Commission's rules, 47 C.F.R. §§ 0.91, 0.291, 54.722(a), that the appeal filed by Methacton School District, Norristown, Pennsylvania, on October 22, 1999 IS REMANDED to SLD for further consideration in light of this decision.

FEDERAL COMMUNICATIONS COMMISSION

Carol E. Matthey
Deputy Chief, Common Carrier Bureau

¹¹ Letter from Ellen Wollhagen, SLD, to Magalie Roman Sales, FCC, filed March 30, 2000, at 1-2 (SLD Letter).

¹² See *id.*

¹³ See *id.*

¹⁴ SLD Letter at 2.

¹⁵ *Id.*

¹⁶ We note that it is unclear from the record why Methacton filed two Forms 470. In any event, because SLD has discovered, with respect to all funding requests at issue here, references in Methacton's Form 471 to the posted, second Form 470, we believe that it is appropriate to remand this matter to SLD for further review.

Federal Communications Commission**FCC 01-73****Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Request for Review of a Decision of the)	
Universal Service Administrative Company)	
by)	
)	
Naperville Community Unit)	File No. SLD-203343
School District 203)	
Naperville, Illinois)	
)	
Federal-State Joint Board on Universal)	CC Docket No. 96-45
Service)	
)	
Changes to the Board of Directors of the)	CC Docket No. 97-21
National Exchange Carriers Association, Inc.)	

ORDER**Adopted:** February 22, 2001**Released:** February 27, 2001

By the Commission:

1. In this Order, the Commission has under consideration a Request for Review filed by Naperville Community Unit School District 203 (Naperville).¹ Naperville requests review of a decision by the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC or Administrator) that returned, without consideration, Naperville's application under the schools and libraries universal service support mechanism for failing to complete its application consistent with SLD's minimum processing standards.² For the reasons discussed below, we grant Naperville's Request for Review.

I. BACKGROUND

2. Under the schools and libraries universal service support mechanism, eligible schools, libraries, and consortia that include eligible schools and libraries may apply for discounts for eligible telecommunications services, Internet access, and internal connections.³

¹ Letter from Eric Militz, Naperville Community Unit School District 203, to the Federal Communications Commission, filed July 11, 2000 (*Request for Review*).

² Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marty Barnicle, Naperville Community Unit School District 203, dated June 14, 2000 (*Administrator's Decision*).

³ 47 C.F.R. §§ 54.502, 54.503.

Federal Communications Commission

To receive discounts for eligible services, an eligible school or library "shall . . . submit a completed FCC Form 471 to the Administrator."⁴ The FCC Form 471 requires the applicant to provide specific information about the service for which a discount is sought.⁵ Applications filed during the filing window are deemed simultaneously filed.⁶ The filing window for the 2000-01 funding year (Year 3) opened on November 10, 1999, and closed on January 19, 2000.⁷ Applicants requested discounts in excess of the program funding cap during the Year 3 filing window.⁸ As a result, SLD considered only those applications filed during the window pursuant to the Commission's funding priority rules.⁹

3. The FCC Form 471 is broken up into "blocks" that group related or interdependent requests for information, called "items," together.¹⁰ The application form is designed to enable SLD to determine efficiently whether the applicant meets statutory requirements and our implementing rules. For applications involving more complex requests, the applicant may need to complete a given block several times with different responses.¹¹ When an applicant reproduces a block multiple times in the same application, each reproduced block is considered a separate "worksheet." When completing multiple worksheets applicants are instructed to number the worksheets, e.g., A-1, A-2, A-3.

⁴ 47 C.F.R. § 54.504(c).

⁵ See Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (*FCC Form 471*) (attached as Appendix A). On the FCC Form 471, the applicant records data used by SLD to evaluate the eligibility for discounts of the services received and the entities receiving them, as well as to determine the applicant's priority to receive a discount for a particular request and the discount available to the applicant if the discount is granted. Specific information requested on the FCC Form 471 identifies, for example, the applicant; the individual entities (i.e., particular schools and libraries) that will be receiving services; the vendors; key terms of contracts between vendors and the applicant, including pricing and length of contract; and which entities will be receiving what services included in the application.

⁶ The Commission's rules establish a window to be determined by SLD. See 47 C.F.R. § 54.507(c). Commission rules also establish funding priorities for those requests filed during the window. See 47 C.F.R. § 54.507(g).

⁷ See SLD website, SLD Announces Availability of New Forms, <http://www.sl.universalservice.org/whatsnew/101999.asp>.

⁸ SLD website, SLD President Announces First Funding Wave for Year 3, <http://www.sl.universalservice.org/whatsnew/042000.asp>.

⁹ 47 C.F.R. § 54.507(g). The Commission's funding priority rules for applications submitted during the filing window provide that, for all discount categories, requests for telecommunications services and for Internet access shall receive first priority for the available funding while requests for installation of internal connections and other nonrecurring costs receive lower priority. To the extent that funds are not available to provide discounts to all internal connections, the Commission's rules prioritize support for schools and libraries receiving the highest discount and proceeding downward; in other words, the most disadvantaged entities receive the highest priority.

¹⁰ *FCC Form 471*.

¹¹ *FCC Form 471*; Instructions for Completing the Schools and Libraries Universal Service, Services Ordered and Certification Form, OMB 3060-0806 (September 1999) (*FCC Form 471 Instructions*).

Federal Communications Commission

4. Consistent with the Commission's rule requiring applicants to submit a "completed FCC Form 471 to the Administrator," SLD utilizes what it calls "minimum processing standards" to facilitate the efficient review of the thousands of applications requesting funding.¹² These minimum processing standards are designed to require an applicant to provide at least the minimum data necessary for SLD to initiate review of the application under statutory requirements and Commission rules. When an applicant submits an FCC Form 471 that omits an item subject to the minimum processing standards, SLD automatically returns the application to the applicant without considering the application for discounts under the program.¹³ Both the minimum processing standards and the automatic return for failure to comply are explained in a document available on SLD's website, from SLD's fax-on-demand service, and from SLD customer services representatives at its toll-free number.¹⁴

5. In Year 3, SLD added to the minimum processing standards the requirement that applicants identify the specific entity receiving a service or, if that service is shared by more than one entity, the applicant list the Block 4 worksheet number that identifies the entities sharing the service.¹⁵ The worksheet number was collected in Block 5, Item 22, on the FCC Form 471.¹⁶ SLD alerted potential applicants of the minimum processing standards for Year 3 in a letter sent to schools and libraries before the application process commenced.¹⁷ That letter referred applicants to a document that more fully set forth the revised minimum processing standards for Year 3.¹⁸

¹² 47 C.F.R. § 54.504(c); see SLD website, Form 471 Minimum Processing Standards and Filing Requirements for FY 3, <http://www.sl.universalservice.org/reference/471mps.asp> (Minimum Processing Standards).

¹³ Minimum Processing Standards.

¹⁴ Minimum Processing Standards.

¹⁵ Minimum Processing Standards; see also FCC Form 471. The minimum processing standards changed primarily because the FCC Form 471 was redesigned for Year 3. In the redesigned FCC Form 471, the Block 4 worksheet generally requires the applicant to list all the entities receiving a service for which discounts are sought. In those situations where an applicant is seeking discounts for a service to be shared by a group of schools within the district, the worksheet calculates the weighted average discount of those schools which is then applied to the shared service. Where a school district is seeking multiple shared services for different groups of schools within its district, the applicant must complete a different Block 4 worksheet for each group, labeling the worksheets "A-1", "A-2", and so forth. In this situation, separate Block 4 worksheets are required because the weighted average discount will vary from group to group. The FCC Form 471 requests that the applicant identify the Block 4 worksheet for a particular group at Item 22 of the Block 5 worksheet used to request the discounted services to be received by that group.

¹⁶ FCC Form 471, Block 5, Item 22.

¹⁷ Letter from Kate L. Moore, Schools and Libraries Division, to School and Library Leaders, dated October 11, 1999 (Year 3 Opening Letter to the Field).

¹⁸ Year 3 Opening Letter to the Field. Moreover, links to the minimum processing standards document appear frequently on SLD's website, which is the method preferred by SLD and most applicants for obtaining information regarding the application process and for obtaining and submitting forms. See FCC Form 471 Instructions at 6 ("You are encouraged to complete and submit this form electronically, online."); SLD website, \$4.72 Billion (continued....)

Federal Communications Commission

6. Naperville filed an FCC Form 471 requesting discounted services for Year 3.¹⁹ In Block 4 of its FCC Form 471, Naperville indicated that it was applying for discounts for shared services to be shared by all schools in the district.²⁰ In doing so, Naperville explicitly indicated that it did not seek discounts for shared services for different groups of schools.²¹ Naperville listed 21 schools on its sole Block 4 worksheet, yielding a Weighted Average Discount of 26 percent for shared services.²² Naperville did not label its Block 4 worksheet with an "A-1", "A-2", or similar label.²³

7. Because Naperville was seeking discounts for six different services, it submitted six copies of Block 5, one for each discount request included in the application.²⁴ Each Block 5 was identical with respect to the items relevant here. On each Block 5, Naperville indicated that the percentage discount from Block 4 (*i.e.*, the Weighted Average Discount) was 26 percent.²⁵ On each copy of Block 5, however, Naperville failed to answer Item 22, which asks that the applicant identify by worksheet number the Block 4 worksheet listing the entities to receive the service if the service is shared.²⁶

8. Naperville filed its FCC Form 471 on January 19, 2000, the final day of the Year 3 filing window.²⁷ Because Naperville failed to complete Item 22 of Block 5 with respect to each of its six requests for discounts, SLD sent a letter to Naperville indicating that its application had failed to meet the minimum processing standards, and returned Naperville's application.²⁸ Because Naperville submitted its incomplete FCC Form 471 on the final day of the Year 3 filing window, SLD was unable to issue the minimum processing letter to Naperville

(Continued from previous page)

Requested for E-Rate in Year 3, <http://www.sluniversal-service.org/whatsnew/022000.asp> (noting that nearly 80 percent of Year 3 applications were submitted electronically).

¹⁹ FCC Form 471, Naperville Community Unit School District 206, filed January 19, 2000 (*Naperville Form 471*).

²⁰ *Naperville Form 471*, Block 4, Item 10a.

²¹ *Naperville Form 471*, Block 4, Item 10a.

²² *Naperville Form 471*, Block 4, Items 10b, 10c.

²³ *Naperville Form 471*, Block 4.

²⁴ *Naperville Form 471*, Block 5.

²⁵ *Naperville Form 471*, Item 23j.

²⁶ *Naperville Form 471*, Block 5, Item 22; *Administrator's Decision*. For services that are to be provided to one site, rather than shared, a second blank in Item 22 asks the applicant to identify by entity number of the school or other site to receive the service. Because Naperville was seeking shared services, that portion was properly left blank.

²⁷ *Naperville Form 471*.

²⁸ Letter from Schools and Libraries Division, Universal Service Administrative Company, to Marty Barnicle, Naperville CUSD 203, dated May 15, 2000.

Federal Communications Commission

before the close of the Year 3 filing window. Therefore, Naperville refiled its application after the close of the window. On May 26, 2000, Naperville refiled its application, including the previously incomplete items, and requested that SLD treat its application as having been filed within the filing window.²⁹ On June 14, 2000, SLD issued its decision, stating that it could not consider Naperville's request for waiver of the Year 3 filing window and advising Naperville to file its request with the Commission.³⁰ Naperville filed the instant Request for Review with the Commission on July 11, 2000.³¹

II. DISCUSSION

9. At the outset, we emphasize that our primary objective is to ensure that schools and libraries benefit from the schools and libraries universal service support mechanism as contemplated by the statute. For purposes of considering this Request for Review, this means we must balance the need to minimize administrative costs, while expediting fair and efficient review of applications. With that objective in mind, we consider the circumstances surrounding SLD's return of Naperville's FCC Form 471 for failure to meet SLD's minimum processing standards.

10. After considering the totality of the circumstances, we grant Naperville's Request for Review. As described below, we believe as a general matter that minimum processing standards can serve the important purpose of minimizing the administrative costs of the program. Notwithstanding that fact, however, we conclude that the omission of a response to Item 22 does not merit return of Naperville's entire application under the totality of the circumstances presented here. Specific factors that weigh against such return in this instance include the possible confusion resulting from the redesign of the FCC Form 471 and its impact on the minimum processing standards; the specific request at issue was new to the application; the information omitted in Item 22 is easily discerned from the remainder of Naperville's FCC Form 471; and the substantial completeness of the remainder of Naperville's FCC Form 471.

11. In Year 3 of the program, SLD received more than 36,000 applications.³² As administrator of the schools and libraries universal service mechanism, SLD incurs significant additional administrative costs by reviewing and processing applications that fail to include information essential to their evaluation under the mechanism's rules. Under Commission rules, SLD's administrative funds are drawn from the same pool from which support is distributed to

²⁹ FCC Form 471, Naperville Community Unit School District 203, filed May 26, 2000; *Request for Review* at 3.

³⁰ *Administrator's Decision*. SLD treated this refiled application as a request for a waiver of the Year 3 filing window, which SLD refused to consider. *Administrator's Decision*. Although SLD treated Naperville's refiled application as a request for a waiver of the filing window deadline, we are not obligated to treat its Request for Review as such. As discussed below, by granting Naperville's Request for Review, we conclude that SLD erred in returning Naperville's initial application without consideration, given the circumstances presented here.

³¹ *Request for Review*.

³² SLD website, Website Letter, <http://www.sl.universalservice.org/whatsnew/012000.asp>.

Federal Communications Commission

applicants.³³ Any additional costs incurred in the administration of the program, therefore, directly reduce the funds available for eligible schools and libraries. As such, and consistent with the Commission's rule requiring applicants to submit a "completed" FCC Form 471, SLD's minimum processing standards provide an efficient means to minimize unnecessary administrative costs by reducing the number of substantially incomplete applications that SLD must review and process. In that context, Item 22 of Block 5 is used because it confirms the discount assigned to the entity or entities receiving the requested service. In many instances, without that information, an essential determination—confirmation of the discount assigned to the requested service—cannot be made and the application cannot be processed. Where applicants are seeking discounts on multiple services for different groups of schools in the same application, this information is critical to determine what discount applies to the various services. Against this backdrop, we conclude that it is appropriate for SLD to require the information requested by Item 22 and for SLD to return applications that fail to provide this information in any form.

12. We nevertheless conclude that Naperville's application did not merit return given the totality of the circumstances presented here. We base our decision on several factors. The FCC Form 471 was redesigned extensively for Year 3.³⁴ Although in the most general sense the information requested in Item 22 had been requested in previous years, the Year 3 form requested the information in a substantially different manner in order to permit SLD to more easily identify relevant facts. Given that Item 22 was a new information request on the Year 3 form, some applicants might misunderstand what the appropriate response to Item 22 would be. Moreover, it is not clear whether applicants understood the impact this redesign had on the minimum processing standards.

13. Furthermore, we find from our review of the record that SLD reasonably could have easily discerned the information omitted in Item 22 in this application from the other information in the application. After reviewing Naperville's FCC Form 471, we find that Blocks 4 and 5 of Naperville's application provided the necessary information for SLD to conclude with reasonable certainty what the omitted response to Item 22 was without requiring a detailed review of the application. First, on Block 4, Naperville indicated that all schools in the district would be receiving the same shared services, and that there were no requests for different shared services for different groups of schools.³⁵ Accordingly, if the funding request on Block 5 was for shared services—which SLD could have determined from Naperville's response to Item 23j on

³³ 47 C.F.R. § 54.715(c).

³⁴ SLD redesigned the FCC Form 471 in Year 3 to better isolate information important to the processing of funding requests. The form used in prior years invited responses that often did not permit complete review of the underlying funding requests without substantial additional analysis by SLD reviewers or contact with the applicant for further information. The new form, when properly completed, greatly reduces this work as compared to the form used in Years 1 and 2 because more aspects of the review may be automated and fewer requests for additional information from applicants are necessary.

³⁵ *Naperville Form 471*, Block 4, Item 10a.

Federal Communications Commission

Block 5—the only appropriate response to Item 22 would have been worksheet A-1.³⁶ Moreover, because the 26 percent recorded on each Block 5 matches exactly with the Weighted Average Discount shown in Naperville's only attached Block 4, SLD could have determined that the funding request on the Block 5 worksheets referred to the group of school's identified on Naperville's Block 4 worksheet.³⁷ For these reasons, SLD could have easily determined that the only response on Naperville's Item 22 would have been to refer to the only attached Block 4 worksheet. In these circumstances, completing Item 22 required merely the ministerial act of repeating a fact readily available and easily discernable elsewhere in the application.

14. We are comforted by the fact that review of the record leads us to conclude that Naperville completed every other item on its application for which a response was appropriate. There is no indication that Naperville intended to deceive or mislead SLD by the omission. Nor do we believe that Naperville lacked a sufficient response to Item 22 because it failed to exercise proper diligence in ordering services for which it could make effective use. Rather, Naperville provided sufficiently complete answers to the remainder of its FCC Form 471 to permit the ready discernment of the response that Naperville should have provided to Item 22. Except for the inadvertent omission of a response to Item 22, Naperville's FCC Form 471 reflects the diligence and good faith we expect from applicants.

15. Based on these facts, we conclude that, given the totality of the circumstances, Naperville's FCC Form 471 did not merit return. The administrative cost of accepting Naperville's application under these facts are minimal and are outweighed by the objective of ensuring that schools and libraries benefit from the schools and libraries universal service support mechanism as contemplated by the statute. Accordingly, we grant Naperville's request for review and remand the matter to SLD, so that Naperville's FCC Form 471 may be processed as a timely application.³⁸ We note that our decision today does not guarantee that Naperville's

³⁶ SLD could have known that each Block 5 was for a shared service—rather than a site-specific service—because, on Block 5, Naperville indicated a discount percentage of 26 percent. Pursuant to the Commission's implementing rules, only an application for shared services provides the necessary circumstances under which a school or school district would be eligible for a 26 percent discount. This is because, under the schools and libraries universal service mechanism, schools and libraries determine the discount for which they are eligible by consulting the "discount matrix" adopted by the Commission. 47 C.F.R. § 54.505(c). The discount matrix assigns the discount to an eligible entity based on the income level of students (using eligibility for participation in the National School Lunch Program as a proxy) and whether the entity is in a rural or urban area. 54 C.F.R. § 54.505(c). School districts, library systems, and consortia with multiple eligible entities determine the discount for which they are eligible by calculating a weighted average of the discounts available to their member entities. 54 C.F.R. § 54.505(b)(4). The discount matrix does not, under any circumstance, yield a 26 percent discount to an individual school, though it may yield both higher and lower discount percentages. Therefore, an applicant would be eligible for a 26 percent discount only if it applied for shared services and the weighted average of the discounts available to the schools sharing the services yielded a 26 percent discount.

³⁷ *Naperville Form 471*, Block 5, Item 23j; *Naperville Form 471*, Block 4, Item 10c.

³⁸ We note, however, that a different balancing might result in circumstances other than those present here, particularly where the omitted information cannot be discerned so easily from other material included in the application. This decision is narrowly limited to the facts presented here, and does not prevent SLD from applying its minimum processing standard in the future.